

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

SECTION 1068, 1069, 1070, 1071, 1072, 1073, and 1074. Alternative Schools Accountability Model Pre-Post Assessments

Two comments were received during the initial notice period. The first was a general comment about the Alternative Schools Accountability Model (ASAM) Pre-Post Assessments and the second asked for clarification on two points related to Section 1071 regarding Test Administrator Eligibility.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF JULY 25, 2003 THROUGH SEPTEMBER 9, 2003.

Comment 1: Sherry Kropp, Principal, Laurel Continuation High School, Los Alamitos Unified School District expressed the opinion that the (ASAM) pre-post tests are not necessary because STAR results are required for schools in the ASAM.

Response: The public school Accountability Act (PSAA) of 1999, Chapter 3, Statutes of 1999 [Article 2, Section 52052(h)] required that an alternative accountability system should be established for the schools that participate in the ASAM. These schools are also required to administer and report California's State Testing and Reporting (STAR) test data which represent the "base" indicator in the multiple-indicator ASAM system. The base indicator is currently reported as an Academic Performance index (API) for all ASAM schools with sufficient valid test results for reporting purposes.

The pre-post assessment measures have been added to the list of ASAM performance indicators specifically at the request of the district and county offices of education that operate ASAM schools. The pre-post assessments will augment STAR data by providing measures that are more sensitive to changes in the performance of the highly mobile populations ASAM schools serve. The pre-post assessment results will document the performance of students who were continuously enrolled for at least 90 consecutive days in an ASAM school, but have left the school prior to the time of STAR testing. The pre-post assessment indicators are only three of fourteen indicators available to schools participating in the ASAM. District and county offices of education may choose to adopt a pre-post assessment as an indicator of achievement for their ASAM schools, but are not required to do so.

Comment 2a: Cesar Calderon, Operations Officer of Soledad Enrichment Action Charter School, a Community Day School operated by the Los Angeles County Office of Education, expressed concern that the proposed regulations require paraprofessionals administering a pre-post assessment instrument to be employees of the district. He noted that charter school regulations permit paraprofessionals to be employees of the nonprofit agency providing the office administration support.

Response: This concern appeared to apply only to the limited number of charter schools that meet the entry requirements for participating in the ASAM. We are not aware of other schools in the ASAM in which paraprofessionals employed by a nonprofit agency rather than the school district would be needed to administer the assessment instruments. Local administrators and representatives of the professional associations serving other types of schools in the ASAM have not raised this question. Expanding the regulations to permit personnel who are not district employees to administer the pre-post assessments would raise concerns about the school having sufficient oversight and control over the testing process.

Comment 2b: Mr. Calderon also requested clarification of the requirement that a paraprofessional administering a pre-post test must do so “under the direct supervision” of a certificated employee. He asked whether the certificated employee must be physically present while the assessment process takes place or whether the certificated employee may take responsibility for the administration at a time when he or she is teaching in an adjoining room.

Response: The proposed regulations require that any paraprofessional employee administering a pre-post assessment has been trained to do so by the ASAM test site coordinator [Section 1069, subdivision (e)] and that he or she must sign the ASAM Pre-Post Assessment Security Affidavit and abide by its provisions [Section 1072, subdivision (d)]. While it is reasonable to assume that a certificated employee directly supervising a paraprofessional while administering a pre-post assessment would be available to respond to questions that may arise during the test administration process, this is not a matter that requires definition through regulations.

ALTERNATIVES DETERMINATION

The State Board has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.